

AFFIDAVIT IN SUPPORT OF AN APPLICATION FOR A CRIMINAL COMPLAINT

I, Arthur James Miceli, being duly sworn, hereby declare and state the following:

Introduction

1. I am a law enforcement officer of the United States within the meaning of 18 U.S.C. § 2510(7) and Federal Rule of Criminal Procedure 41(a)(2)(C), as a Special Agent (SA) of the Federal Bureau of Investigation (FBI). I am empowered to conduct investigations of and to make arrests for offenses enumerated in 18 U.S.C. § 2516.

2. I am a Special Agent with the Federal Bureau of Investigation and have been since August 2009. I am currently assigned to the FBI Cleveland Field Office located in Cleveland, Ohio. As a Special Agent, my duties include conducting investigations involving possible criminal violations of Federal laws, particularly those laws enumerated in Title 18 of the United States Code. I have conducted numerous criminal investigations of individuals involved in violations of complex financial crimes, public corruption, fraud against the government, bank robbery, and violent crimes.

3. Based on the facts set forth in this affidavit, I respectfully submit this application and affidavit in support of an arrest warrant and criminal complaint charging STEVEN ALLEN JOHNSON (hereinafter known as "JOHNSON") with Selling Firearms to a Prohibited Person, in violation of Title 18, United States Code, Sections 922(d)(1) and 924(a)(8), and Distribution of a Controlled Substance in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).

4. The facts in this affidavit are based on my own investigation, review of documents and records, and information obtained from other law enforcement officers and individuals. Because this affidavit is submitted solely for the purpose of establishing probable cause for the

criminal complaint and arrest warrant, I have not included each and every fact known to me concerning this criminal investigation. I have set forth only the facts necessary to establish the probable cause to support the issuance of the requested complaint and arrest warrant.

FACTS AND CIRCUMSTANCES REGARDING PROBABLE CAUSE

Background

5. In December of 2023, a Confidential Human Source (hereinafter known as “CHS”) provided law enforcement with information regarding DAMIEN SAMPLE as someone attempting to develop a group called “FELONATION” into a criminal enterprise.¹ According to the CHS, SAMPLE wanted to acquire firearms to conduct robberies, use the money from the robberies to purchase narcotics, sell the narcotics, and build a criminal enterprise. Within this criminal enterprise, JOHNSON was identified by CHS as someone to provide firearms to SAMPLE.

6. Between December 2023 and October 2024, CHS had multiple telephone text communications with SAMPLE. The CHS identified the telephone number 216-699-5373 as belonging to and used by SAMPLE. FBI Cleveland conducted public record checks that indicated 216-699-5373 was a Metro PCS pre-paid active wireless telephone number registered to “Sample, Damien.”

7. On February 24, 2024, CHS provided FBI Cleveland an image from SAMPLE’s open and public Facebook account. *See Image 2.* On this image were the words “Whise Est.

¹ CHS provided law enforcement information regarding DAMIEN SAMPLE, STEVEN ALLEN JOHNSON, and others who were conspiring to commit crimes as outlined within this affidavit. CHS assisted law enforcement by conducting consensually monitored recordings with SAMPLE, JOHNSON, and others. FBI Cleveland was able to corroborate much of this information independently through other investigative means. Affiant believes CHS’ information to be credible and reliable within the context of the scope of provided information.

2021” along the top right and “Steven Johnson FEB 27, 2021” along the bottom left. CHS identified the individual on the left as “Whise.”



Image 2

8. On February 26, 2024, CHS reported that Steve Last Name Unknown aka “Whise” may have provided SAMPLE with two 380 caliber pistols.

9. FBI Cleveland conducted a search of the Ohio Bureau of Motor Vehicles database for the name “Steven Johnson” as indicated in Image 2. That search returned a Steven Allen JOHNSON with a registered residence of 5415 Fairtree Road, Bedford Heights, Ohio 44146. JOHNSON’s driver’s license photograph from his driver’s license issued on January 21, 2021, is shown in Image 3 below:



Image 3

10. FBI Cleveland conducted public records checks of an open and public Facebook account for JOHNSON. The account profile name listed “Steven Johnson” as well as an alias “ENKI WHISE.” JOHNSON’s listed employment was “Enki at Nation of Whise.”

11. FBI Cleveland conducted public record checks and determined that telephone number 216-334-3899 corresponded with a T-Mobile pre-paid telephone registered to Steven Allen JOHNSON.

12. Based on my training and experiences, JOHNSON’s Facebook account demonstrates a connection between SAMPLE and JOHNSON. For example, JOHNSON’s Facebook contact listed SAMPLE’s social media account as a “friend.” Further, on January 1, 2021, JOHNSON posted on his social media account an image. That image had an emoji heart posted to it by SAMPLE’s social media account.

May 1, 2024, Drugs and Firearm Purchase

13. On May 1, 2024, FBI Cleveland conducted an operation utilizing CHS to purchase over 95 grams of Methamphetamine and a Romarm Carpati 380 Model 95 firearm from SAMPLE at his residence of 13013 Parkhill Ave, Upper, Cleveland, Ohio. In exchange for the firearm and narcotics, CHS paid SAMPLE \$400. This operation was consensually recorded with audio and

video recording devices. Specifically, SAMPLE identified “Steve” as the person who provided him the weapon.

14. During the meeting, the following was stated:

- a. SAMPLE – “It’s in a bag, in a holster. We still. I am about to call Steve right now and get the other one, right now, right now. I’m not gonna wait and see. It’s mine. And I really, the only reason, I’m like. I, I. She was like ‘oh, you sell guns?’ I was like, no, Rasheed in the nation. I don’t sell guns. I don’t have nothing to sell.”
- b. CHS – “So you’re about to be strapped, I’m gonna be strapped.”
- c. SAMPLE – “I’m gonna get a mother fuckin chopper. A mother fuckin shotgun.”
- d. CHS – “Where you gonna get some shit like that?”
- e. SAMPLE – “Steve he got it.” (Writer’s note: CHS previously identified Steve as STEVEN JOHNSON)

15. FBI Cleveland provided the Romarm Carpati 380 Model 95 firearm with serial number A-3920 to the ATF who conducted a firearms trace of this weapon, which identified it as manufactured in “Turkiye” (Turkey) and imported into the United States by SDS Imports, LLC. Public records indicated that SDS Imports, LLC is a Knoxville, Tennessee, based firearms importing company that partners with companies to include Tokarev USA. Based on my training and experience and the information from ATF, I know that the firearm was manufactured outside of the State of Ohio and, therefore, that it travelled in interstate commerce.

16. FBI Cleveland entered the three bags of suspected narcotic pills into evidentiary storage and then sent to the Drug Enforcement Administration (“DEA”) for laboratory chemical analysis of the substances.

17. The DEA provided a chemical analysis report for the three bags, consisting of:

- 106 tablets of Methamphetamine (calc. as Hydrochloride) consisting of a net weight of 30.08 g +/- 0.01 g. The substance purity was 1.5% +/- 0.2%.
- 104 tablets of Methamphetamine (calc. as Hydrochloride) consisting of a net weight of 31.39 g +/- 0.01 g. The substance purity was 1.2% +/- 0.2%.

- 104 tablets of Methamphetamine (calc. as Hydrochloride) consisting of a net weight of 33.8 g +/- 0.2 g. The substance purity was 1.4% +/- 0.2%.

June 2, 2024, Firearm Purchase

18. On May 8, 2024, during a consensually monitored telephone call between CHS and SAMPLE utilizing his registered telephone number 216-699-5373, SAMPLE stated that “Steve” had an “AR” in the box that is camouflage, two 9mm Taurus handguns, and a “plug.” In my training and experience, a “plug” refers to someone who can supply illegal items such as drugs, firearms, and other contraband.

19. On May 15, 2024, SAMPLE sent a text message to CHS. Within that communication, SAMPLE stated, “Yeah, it’s important that we get all of Steve’s hardware asap,” and “I’m about to reestablish or connects on the inside.” Based upon previous communications between SAMPLE and CHS, as well as my training and experience, I understand SAMPLE stating “hardware” as him referring to firearms.

20. On May 23, 2024, SAMPLE and CHS had a text communication. This communication was regarding meeting up to go and purchase weapons from JOHNSON. The meeting was postponed due to JOHNSON’s schedule. When CHS inquired to SAMPLE about the transaction occurring, SAMPLE provided CHS an image of two assault rifles and three handguns, *See Image 4* (and Image 5 being a blown-up image of that text communication).



Image 4



Image 5

21. On June 2, 2024, FBI Cleveland conducted an operation with CHS, SAMPLE, and JOHNSON. During that meeting, CHS was wearing a consensually monitored audio and video recording device. The FBI also provided CHS with \$500 in U.S. currency. CHS picked up SAMPLE at 31013 Parkhill Avenue, Cleveland, Ohio, and drove to JOHNSON's residence of 5415 Fairtree Road, Bedford Heights, Ohio 44146. CHS and SAMPLE were invited into JOHNSON's house. Inside JOHNSON's house, CHS was shown several handguns, an AR-15, and a shotgun with American flag markings.

22. CHS and JOHNSON negotiated to purchase the shotgun with American flag markings for \$600 and ammunition for an additional \$40. Since CHS only had \$500, it was agreed that CHS owed JOHNSON the remaining \$140 for the purchased shotgun and ammunition. CHS was provided the shotgun with American flag markings. Both CHS and SAMPLE then left the JOHNSON's residence and then CHS drove SAMPLE to SAMPLE's residence.

23. At the completion of the operation, CHS provided the FBI with a Tokarev shotgun, Model TBP 12, caliber 12-gauge, with serial number 52-H23YB-026781, two (2) boxes of 12-gauge ammunition, and one (1) loaded magazine. The shotgun with American flag markings, *See* Image 6, which matched the shotgun of Images 4 and 5.



Image 6

24. On June 3, 2024, the ATF confirmed that Steven Allen JOHNSON with social security number ending in 1572 was not registered in the ATF's Federal Licensing System for firearms.

25. ATF records checks of this Tokarev shotgun with serial number 52-H23YB-026781 indicated it was purchased on March 2, 2024, by David Michael HAGGINS, who lives at 8605 Rosewood Ave, Cleveland, Ohio, 44105, with the date of birth 4/7/1987, from Fin Feather Fur Outfitters located at 18030 Bagley Road, Middleburg Heights, Ohio, 44130. There were 92 days from the date of purchase to the FBI recovery of this firearm and only 82 days from purchase to the image provided by SAMPLE on May 23, 2024. The Tokarev shotgun was not reported stolen.

26. The ATF conducted record checks to identify other firearms purchased by HAGGINS:

- a. On February 8, 2024, HAGGINS purchased a Taurus G2C, 40 caliber pistol with serial number AEM924810 and a SCCY Industries, LLC CPX-2, 9mm caliber pistol with serial number C502053. The Taurus G2C had similar characteristics to

a handgun seen in Image 5. There were 105 days from purchase to when SAMPLE provided Image 5 to CHS on May 23, 2024.

- b. On April 9, 2024, HAGGINS purchased two Taurus G3C, 9mm caliber pistols, with serial numbers AEM902527 and AEM902515. These firearms had similar characteristics to two of the handguns seen in Image 5. There were 44 days from purchase to when SAMPLE provided Image 5 to CHS on May 23, 2024.

27. Separate from the FBI Cleveland investigation, the Cuyahoga County Sheriff's Office ("CCSO") recovered the SCCY Industries, LLC, CPX-2, 9mm caliber pistol with serial number C502053 on June 15, 2024, incident to a traffic stop. This serial number matched the same SCCY Industries, LLC CPX-2, 9mm caliber pistol with serial number C502053 listed above as sold to HAGGINS. This firearm was not reported stolen. The individual associated with the SCCY Industries, LLC, CPX-2, 9mm caliber pistol with serial number C502053 was prohibited by the state of Ohio from possessing a firearm and therefore, CCSO obtained an arrest warrant for him in violation of Ohio Revised Code, Section 2923.13 – Having Weapons While Under Disability.

28. ATF Special Agents and Intelligence Analysts were provided Image 5. Based on their training and experience, they identified the three (3) handguns within this image as potentially being Taurus brand handguns. They indicated the yellow magazine slide followers and hand grip designs were characteristic of Taurus weapons and accessories.

29. FBI Cleveland conducted a public records image search for Taurus G2C and G3C pistols as identified by the ATF purchase history of HAGGINS listed above. The returned images of Taurus G2C and G3C pistols had similar characteristics of those three (3) black handguns seen in Image 5.

30. On or about June 5, 2024, SAMPLE sent CHS a text message stating, “Bout to put my hand the chopper and the side arm. You have the shotty and a side arm. Right? I’m planning put some plays for us.” Based upon previous communications between SAMPLE and CHS and my training and experience, I understand SAMPLE stating “chopper” to mean an assault rifle and “plays” to mean robberies. Further, SAMPLE inquired about the remaining \$140 balance CHS owed for the shotgun purchased on June 2, 2024.

31. On or about June 8, 2024, JOHNSON sent CHS a text message from telephone number 216-334-3899, a telephone number known to CHS as JOHNSON aka “Wise.” JOHNSON inquired about when they were going to meet. CHS informed FBI Cleveland Special Agents that that this was in reference to the remaining \$140 balance for the shotgun.

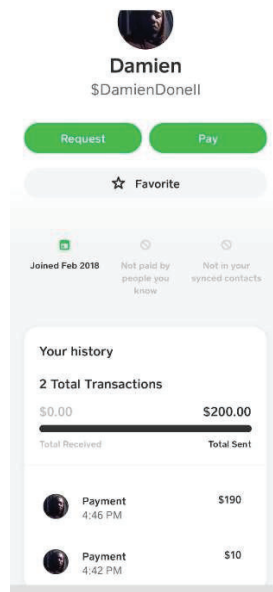
32. On or about June 9, 2024, SAMPLE sent CHS a text message stating, “I talked with Steve about the funds. My bad for not sending that text. We need to touch bases.” Based upon my training, experience, and the facts of this investigation, I understand this as SAMPLE discussed the remaining \$140 balance for the shotgun with JOHNSON.

33. On or about June 9, 2024, JOHNSON sent CHS a text message stating, “Yo were in such a hurry to leave you didn’t hear the terms of my loans I told D to tell you when you got to the car I charge 20 for the wait and 10 dollars a day when you late and I don’t hear from you all you had to do was call Friday tell me you didn’t have it and you were working on it but the face you didn’t respond till D [meaning SAMPLE] hit you up show me your character I only fucked with you because of him you lied to me from the jump I don’t lie about anything I’m not scare of no one so no one can send me threats and that’s going to effect a thing so it’s Sunday still haven’t had conversation so we at 180 that day interest stops when you let me know when I’m getting paid and talk to me like a person don’t like slid shit from niggas supposed to be down.” Based upon

my training, experience, and the facts of this investigation, I understand this JOHNSON applying interest to CHS for the remaining \$140 balance for the shotgun.

34. On or about June 25, 2024, CHS contacted JOHNSON and inquired if he had Venmo.² JOHNSON stated that he only had CashApp, another peer-to-peer payment application. JOHNSON advised CHS that CHS could pay “D,” meaning SAMPLE, and that SAMPLE would provide JOHNSON the money. CHS stated that CHS would provide \$200, to which JOHNSON agreed.

35. On June 26, 2024, CHS called SAMPLE stating CHS was going to send \$10 to SAMPLE’s Venmo account titled \$DamienDonell as a test before sending the remaining \$190. CHS then sent \$10 to SAMPLE’s Venmo account. CHS called SAMPLE to confirm the \$10 payment was received, to which SAMPLE verified. CHS then sent the additional \$190 to SAMPLE. These transactions are shown in Image 7 below:



² Venmo is a peer-to-peer payment application that allows account holders to pay other account holders such as friends, local businesses, charities, etc.

Image 7

36. On June 26, 2024, CHS sent a text message to JOHNSON showing proof that payment was sent to SAMPLE as seen in Image 8 below:

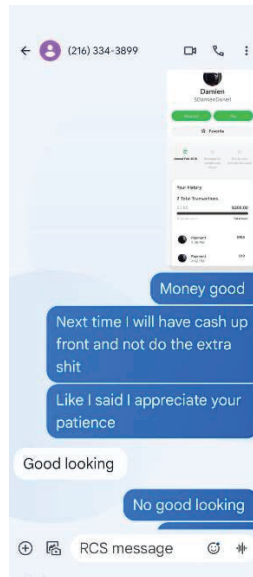


Image 8

August 6, 2024, Drugs and Firearm Purchase

37. On July 31, 2024, CHS had a consensually monitored telephone conversation with JOHNSON. During that recorded telephone call, JOHNSON stated that he paid \$300 for a pistol and would sell it for \$500 yielding a \$200 profit.

38. On August 2, 2024, CHS had a text communication with JOHNSON. During that communication, it was agreed upon to meet on August 6, 2024, after JOHNSON returned home from a doctor's appointment.

39. On August 6, 2024, FBI Cleveland conducted a CHS operation to purchase narcotics and a firearm directly from JOHNSON. During that operation, CHS was wearing a consensually monitored recording audio and video device. CHS was also provided with \$750 in U.S. currency by the FBI.

40. CHS drove to the 5415 Fairtree Road, Bedford Heights, Ohio 44146 where CHS was greeted and invited by JOHNSON into JOHNSON's house through the side door of the garage as shown in Image 9.



Image 9

41. Inside, JOHNSON sat down on the couch holding a black plastic bag that contained a firearm box. JOHNSON handed CHS the black plastic bag and CHS opened the firearm box. Inside the firearm box, CHS found a Taurus G3C 9x19, 9mm caliber handgun with serial number AEM902515 still in the manufacturer's box contained as seen in Image 10.



Image 10

42. JOHNSON stated he had not even fired the weapon. CHS explained the previously purchased shotgun from JOHNSON was too big. CHS explained that CHS had an issue with someone outside of town and that CHS wanted to “rob this little nigga and take his money.” CHS added, “Now I am going take care of this mother fucker cuz he is playing games and shit.”

43. CHS reconfirmed, “You want 5 for that?” referring to previously agreed upon price of \$500 for the firearm. JOHNSON replied “Yeah.”

44. CHS then asked JOHNSON if he had any “beans.” I understand “beans” to refer to drugs in pill form. JOHNSON replied that he did. JOHNSON questioned, “oh, you want to buy some beans? Oh, I got you.” CHS then asked, “how much a jar was going for” and JOHNSON replied “125.” CHS then agreed to purchase both the firearm and the bottle of narcotics from JOHNSON for \$625. JOHNSON provided CHS with a Motrin bottle containing pills in the colors of red, blue, white, and green. JOHNSON can be seen counting the money provided by CHS in Image 11 below:



Image 11

45. JOHNSON then said he had a holster and an extra clip (meaning a magazine). CHS then said to include those items with the firearm and drugs for \$750 in total. CHS then stated, “Cuz this is how I’m going to rob this nigga.” CHS further stated in conversation with JOHNSON,

“Once you got a felony in your blood, it almost like stuck in that shit” to express that CHS was a convicted felon.

46. At the completion of the operation, CHS left JOHNSON’s residence. CHS met with and provided the FBI with a Taurus G3C 9x19, 9mm caliber handgun with serial number AEM902515 with two (2) magazines, a holster, a firearm box, and the bottle of Motrin containing various colored pills. The firearm is shown in Images 12 and 13 below:



Image 12

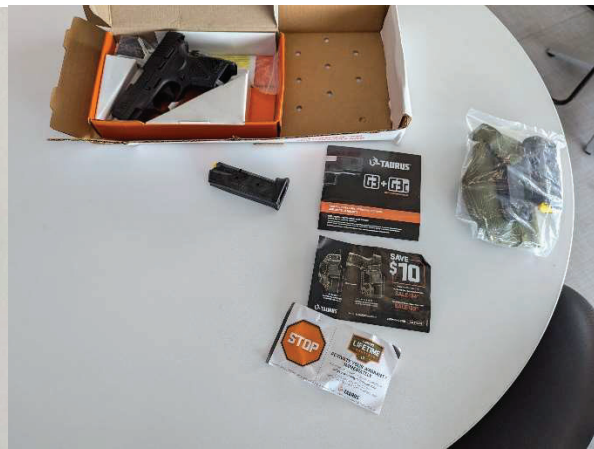


Image 13

47. The Motrin bottle was taken to the FBI Cleveland Evidence Room where I and another federal agent removed the suspected narcotics from the Motrin bottle and counted 10 blue pills, 11 pink pills, 56 green pills, and 22 white pills.

48. The suspected narcotics were provided to the DEA North Central Laboratory for analysis. The following results for that analysis were provided:

- a. The 10 blue pills had a net weight minus packaging of 3.325 g +/- 0.001 g and consisted of a mixture Methamphetamine (calc. as Hydrochloride), Caffeine, and Dimethyl Sulfone.
- b. The 11 pink pills had a net weight minus packaging of 3.646 g +/- 0.001 g and consisted of a mixture Methamphetamine (calc. as Hydrochloride), Caffeine, and Dimethyl Sulfone.

- c. The 56 green pills had a net weight minus packaging of 13.757 g +/- 0.001 g and consisted of a mixture Methamphetamine (calc. as Hydrochloride), Caffeine, and Dimethyl Sulfone.
- d. The 22 white pills had a net weight minus packaging of 7.207 g +/- 0.001 g and consisted of a mixture of Methamphetamine (calc. as Hydrochloride), Caffeine, and Dimethyl Sulfone.
- e. The approximate total of net weight for August 6, 2024, narcotics purchased containing Methamphetamine from JOHNSON is 27.935 grams.

49. ATF records checks of this Taurus G3C 9x19, 9mm caliber handgun with serial number AEM902515 indicated it was purchased on April 9, 2024, by HAGGINS. This firearm had similar characteristics to a Taurus handgun seen in Image 5. There were 44 days from purchase to when SAMPLE provided Image 5 to CHS on May 23, 2024, and 119 days from purchase to recovery by FBI Cleveland. It was not reported stolen.

October 15, 2024, Drug Purchase

50. On October 11, 2024, CHS had a text communication with JOHNSON. CHS inquired to meet with JOHNSON on Tuesday and that CHS would bring "45-5." JOHNSON replied with "Okay." I understand that CHS was referring to October 15, 2024, and that CHS was to bring \$450 to \$500.

51. On October 15, 2024, FBI Cleveland conducted a CHS operation to purchase narcotics directly from JOHNSON. During that operation, CHS was wearing a consensually monitored audio and video recording device. CHS was also provided with \$500 in U.S. currency by the FBI.

52. CHS drove to JOHNSON's residence where CHS was greeted and invited in by JOHNSON. CHS inquired about purchasing more "beans." JOHNSON stated he did not have any "beans," but he did have morphine. Based upon my training, experiences, and facts of this investigation, I understand "beans" to refer to Methamphetamine pills. JOHNSON then brought CHS into the basement.

53. During the transaction, CHS inquired “what kind of heat you got?” JOHNSON then showed CHS a handgun referring to it as a “9.” JOHNSON explained and showed CHS a firearm with a green laser attachment on it. *See Images 14 and 15.*



Image 14

Image 15

54. JOHNSON then began to count out white pills in his hand. *See Image 16.* JOHNSON stated the white pills were “\$30 apiece” and began to calculate how many pills he would sell to the CHS for \$500. JOHNSON then said he would sell them all to CHS.



Image 16

55. CHS inquired again about the firearm and JOHNSON allowed the CHS to handle the firearm. *See Image 17.*



Image 17

56. During the transaction, CHS provided JOHNSON with the \$500 of U.S. currency in exchange for the 30 white pills. JOHNSON is then seen packaging the 30 pills into a plastic bag with the money visible within the camera angle. *See Image 18.* JOHNSON then counted the money before CHS left JOHNSON's residence.



Image 18

57. At the completion of the operation, CHS met with and provided FBI Cleveland with the 30 white pills. The pills were white, round, flat-faced, beveled edge tablets; one side scored and one side debossed "30" and "274." *See Image 19.*

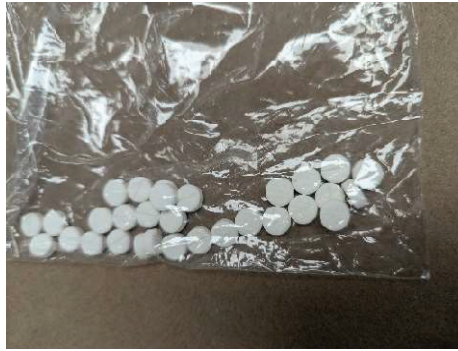


Image 19

58. FBI Cleveland conducted a public records check indicating that pills of Morphine Sulfate are described as white, round, flat-faced, beveled edge tablets; one side scored and one side debossed “30” and “274.” *See Image 20.*³ I understand that the pills purchased from JOHNSON do have the same characteristics of those described as the schedule 2 controlled substance, 30 mg of Morphine Sulfate.



Image 20

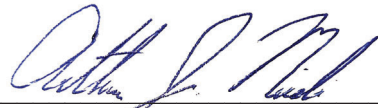
59. At the time of drafting this affidavit, these pills were in the process of being transported to the DEA Laboratory in Chicago, Illinois, for analysis.

³ Pill with imprint 30 274 is White, Round and has been identified as Morphine Sulfate 30 mg. It is supplied by Upsher-Smith Laboratories Inc. Morphine is used in the treatment of Chronic Pain; Neonatal Abstinence Syndrome; Pain and belongs to the drug class Opioids (narcotic analgesics). Morphine 30 mg is classified as a Schedule 2 controlled substance under the Controlled Substance Act (CSA)., <https://www.drugs.com/imprints/30-274-29381.html>

Conclusion

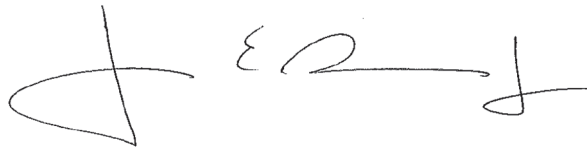
60. Based on the foregoing, there is probable cause to believe that, in the Northern District of Ohio, on August 6, 2024, JOHNSON, did sell a firearm to a prohibited person, in violation of Title 18, United States Code, Sections 922(d)(1) and 924(a)(8). Further, in the Northern District of Ohio, on August 6, 2024, and October 15, 2024, JOHNSON did distribute a controlled substance in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).

FURTHER YOUR AFFIANT SAYETH NOT.



Arthur J. Miceli, Special Agent
Federal Bureau of Investigation

Sworn to via telephone after submission by reliable electronic means [Fed. R. Crim. P. 4.1 and 41(d)(3)] on this 4th day of November, 2024.



James E. Grimes Jr., United States Magistrate Judge